

### REMARKS

Claims 1-6 remain in the case. Claim 1 is the only independent claim. Claims 2-6 have been amended to overcome the informality noted in the Claim Objections at page 2 of the Final Action. Additional amendments have been made to claims 4 and 6, as well. Claim 1 has been amended to more particularly and clearly claim the invention. No new matter has been added.

#### Claim Rejections – 35 USC § 102

Claims 1-6 were rejected under 35 USC § 102(e) as allegedly being anticipated by Stam et al. (US20030123705). The rejection is respectfully traversed.

Amended claim 1 now calls for a current controlling unit “for reducing the current supplied to said semiconductor light emitting element for switching the vehicular lamp to a position lamp and to prevent the temperature in the lamp from increasing.” Claims 2-6 all depend either directly or indirectly from claim 1.

The claimed invention includes a semiconductor light emitting element and a current controlling unit for reducing the current supplied to the light emitting element for switching the vehicular lamp to a position lamp and to prevent the temperature in the lamp from increasing. So, while the present invention current controlling unit is for reducing the current to change the vehicular lamp to a position lamp, the Stam et al. reference merely switches the vehicular lamp from a high beam to a low beam (but not to a position lamp). Applicant's position lamp uses less current than does Stam et al.'s high beam or low beam, and therefore the position lamp generates less heat and eliminates the need for expensive structures to dissipate heat, while Stam et al.'s device employs “heat extraction member 2601” (page 30 at [0259] and Figs. 26a and 26b) in order to dissipate the heat Stam et al.'s device generates. Stam et al.'s heat extraction members “may be composed of copper, copper alloys such as beryllium, aluminum, aluminum alloys, steel, or other metal, or alternatively of another high thermal conductivity material such as ceramic.” (page 30 at [0260]).

As described above, applicant's heat dissipation characteristics, on the one hand, and those of Stam et al., on the other, are very different and result from the differences between

applicant's claimed invention and the disclosed device of the Stam et al. reference. It is clear, therefore, that Stam et al. does not anticipate the present claims. Nor would the present claims have been obvious to one of ordinary skill in the art over Stam et al. at the time the invention was made. Claim 1 is allowable for at least these reasons. Claims 2-6 are dependent claims and are allowable for at least the same reasons.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

### **Conclusion**

It is urged that the objections and rejections have been overcome and that pending claims 1-6 are allowable. Prompt mailing of a notice of allowance is solicited.


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Serial No. : 10/799,855  
Filed : March 12, 2004  
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Attorney's Docket No.: 17268-005001 / KT-0032US

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Date: 3/9/2006



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